

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Commercial Taxes Department – Kakinada Nodal Division – Sri V.Syam Tulasi Nageswara Rao, DR Assistant Commercial Tax Officer of Eluru Division – Departmental Tests not passed –discharged from service – Appeal filed through APCT NGO's Association – Abeyance - Extend probation - Orders – Issued

REVENUE(COMMERCIAL TAXES I)DEPARTMENT

Go Rt.No 331

Dt. 26.02.2010

Read the following

1. Commissioner of Commercial Taxes's Ref No DX(1)/20/2009 dt. 12.1.2010 along with the representations of the individual & APCT NGO's Association.

ORDER

In the reference read above, the Commissioner of Commercial Taxes has stated that Sri V. Syam Tulasi Nageswara Rao, a Direct Recruit Assistant Commercial Tax Officer of 2005 batch having joined in the CT Department of Kakinada Division on 26.2.2005, is expected to pass 4 departmental tests required for the post of Assistant Commercial Tax Officer within the period of probation i.e two years under Rule 9 of the APCT SS Rules 1990 read with section 16(e) of the APSSS Rules 1996, or in the extended period of probation of one year under rule 17(b) of APS&SS Rules 1996. But, the individual could not pass Account Test for Subordinate Officer Part I or Account Test for Executive Officers. The Deputy Commissioner(CT), Kakinada, who is the appointing authority for the post of Assistant Commercial Tax Officer, has issued show cause notice to Sri V.Syam Tulasi Nageswara Rao, Assistant Commercial Tax Officer, Tadepalligudem with a direction to submit his explanation as to why he shall not be discharged from service, as per Sub- Rule(f) of Rule 16 of AP State and Subordinate Service Rules 1996. Sri Syam Tulasi Nageswara Rao, Assistant Commercial Tax Officer has submitted his explanation and requested for extension of probation for a further period of one year. The Deputy Commissioner (CT) has examined the explanation submitted by Sri Syam Tulasi Nageswara Rao and issued orders to discharge him from service as per Rule 16(f) of Andhra Pradesh State & Subordinate Service Rules 1996.

2. The Andhra Pradesh Commercial Taxes Non-Gazetted Officers Association made a representation to the Government on the basis of the representation of the individual Sri V.SyamTulasi Nageswara Rao dt. 7.1.2010 wherein it has stated that the individual has passed 3 departmental tests within the period of probation and he did not passed the other departmental test i.e Account Tests for Subordinate Officers Part I in view of the frequent illness of his mother and irregular conducting of departmental tests in the years 2007, 2008, and 2009 by the Service Commission. The President, APCT NGOs Association has stated that had the Service Commission conducted the departmental tests on time he would have got more number of chances to appear for the departmental test and passed the same in November 2009 itself. The AP CT NGOs Association has requested the Government for extension of his probation by one more year from 7.1.2010 for passing the departmental Test.

3. The Commissioner of Commercial Taxes has requested the Government to consider the representation of the APCT NGOs Association and the individual favourably as the contentions raised by them have force and issue orders keeping the proceedings of the DC(CT), Kakinada in abeyance.

4. Government have examined the matter carefully keeping in view of the Rule 17(c), Rule 17(e)(i)&(ii) and Rule 16(h) of the APS&S S Rules 1996 read with A.P.C.T.Subordinate Service Rules and decide to consider the request of Commissioner of Commercial Taxes to keep the discharge orders issued by the DC(CT), Kakinada in abeyance and to extend the period of probation of Sri V.Syam Tulasi Nageswara Rao, Assistant Commercial Tax Officer for further one year from 7.01.2010 in relaxation of relevant rules under powers conferred with the Government under Rule 31 of A.P.S & S.S Rules, 1996.

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5. Accordingly, the Commissioner of Commercial Taxes is hereby directed to keep the discharge orders issued by the Deputy Commissioner (CT), Kakinada in respect of Sri V.Syam Tulasi Nageswara Rao, Assistant Commercial Tax Officer in abeyance and to extend the period of probation of Sri V.Syam Tulasi Nageswara Rao, Direct Recruit Assistant Commercial Tax Officer for further a period of one year from 7.01.2010 .

6. The Commissioner of Commercial Taxes shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri VST Nageswara Rao, Assistant Commercial Tax Officer through the Commissioner of Commercial Taxes , AP,Hyderabad
The Commissioner of Commercial Taxes, AP, Hyderabad
The President, APCTNGOs Association, AP,Hyderabad.
The PS to Principal Secretary to Chief Minister
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER